

**REMARKS**

In accordance with the above amendments, claims 59 and 64-66 have been amended. Claims 52-53, 56-59 and 64-66 remain under consideration in this application. No claim has been allowed.

Claims 65 and 66 have been amended to clarify the construction of the atrial and ventricular leads indicating that each contains "a plurality of electrodes including one of each type" and better defines the versatility of the sensing system. It is believed that these amendments, together with the amendments to claim 59, enable claim 59 to overcome the rejection under 35 USC § 112, second paragraph, raised in the Official Action. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. 112 is respectfully requested.

As previously indicated, with respect to the rejection of the claims based on the non-statutory double patenting doctrine, the applicants were ready and willing to provide any necessary Terminal Disclaimer. With respect to U.S. Patent 6,169,921, accordingly, a Terminal Disclaimer is enclosed for the Examiner's consideration.

Applicants will submit a Terminal Disclaimer as required with respect to pending Application Serial No. 09/206,329 should claims in this application be otherwise deemed allowable.

With respect to the rejection on the claims on the merits under 35 USC § 102(e) or (b), as being anticipated, respectively by Silvian (USPN 4,991,583) or Hafner (USPN 5,690,683), these

rejections are both respectfully traversed. As previously indicated, whereas both the Silvian and Hafner et al references disclose certain aspects of the cardiac stimulation/sensing system of the present invention, both fail to recognize the possibility of a system with the versatility of that of the present invention. The distinction is believed made more clear by the proposed present amendments. It is not believed that either of these patents should deprive the present inventors of their significant inventive effort.

Likewise, it is believed that the present claims further present a clear inventive step over the cited art.

Entry of the present paper, reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.



C. G. Mersereau  
Attorney for Applicants  
Registration No. 26,205  
900 Second Avenue South  
Suite 820  
Minneapolis, MN 55402  
Telephone: (612) 339-7461